

CITY OF MILFORD
SPECIAL MEETING
MARCH 14, 2000
MINUTES

A special meeting of the Mayor and Council of the City of Milford, Nebraska was held at the Webermeier Community Room in said City on the 14th day of March, 2000 at 7:00 P.M. Present were: Mayor Dean Bruha; Councilmembers Dorothy Bockoven, Scott Burroughs, Gary Cooper, Rick Fortune; Attorney Robert Blevens; City Clerk Jeanne Hoggins. Also present: (See attached attendance roster)

Notice of the meeting was given in advance thereof by publishing in the Milford Times; a designated method for giving notice, as shown by the Affidavit of publication attached to these minutes. Notice of this meeting was given to the Mayor and all members of the Council and a copy of their acknowledgement of receipt of notice and the agenda is attached to the minutes. Availability of the agenda was communicated in the advance notice and in the notice to the Mayor and Council of this meeting. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the public.

CALL TO ORDER: Mayor Bruha called the meeting to order at 7:00 P.M.

MINUTES: A motion was made by Fortune and seconded by Cooper to approve the minutes of the February 1, 2000 meeting. Roll call vote: Fortune yes, Cooper yes, Bockoven yes, Burroughs yes. Motion carried.

A motion was made by Bockoven and seconded by Burroughs to approve the minutes of the February 14, 2000 meeting with correction on page 2 stating more than 50%, not less. Roll call vote: Bockoven yes, Burroughs yes, Cooper yes, Fortune yes. Motion carried.

A motion was made by Burroughs and seconded by Fortune to approve the minutes of the February 21, 2000 meeting. Roll call vote: Burroughs yes, Fortune yes, Bockoven yes, Cooper yes. Motion carried.

A motion was made by Fortune and seconded by Cooper to approve the minutes of the February 28, 2000 meeting. Roll call vote: Fortune yes, Cooper yes, Bockoven yes, Burroughs yes. Motion carried.

PAYMENT OF BILLS, BOND PRINCIPLE AND INTEREST: A motion was made by Bockoven and seconded by Cooper that the following bills, bond principle and interest approved by the Auditing Committee be approved for payment. Roll call vote: Bockoven yes, Cooper yes, Burroughs yes, Fortune yes. Motion carried.

SALARIES:

30625	Mark Frey	972.80
30626	Joyce Elaine Plessel	620.13
30627	Forrest K. Siebken	946.86
30628	Mavis Lynn Ferris	49.96
30629	Jeanne M. Hoggins	807.19
30630	Gary Lee TeSelle	713.11
30631	Scott Dean Fosler	766.20
30632	Robert L. Hull	653.63
30633	Beverly J. Wehrs	312.96
30634	Edna A. Riedl	325.61
30635	David R. Dahle	698.27
30636	Amanda L. Lambe	126.39
30637	Louis J. Bialas	636.73
30638	Pamela J. Slama	261.80
30639	Robert S. DeCoste	640.51
30640	Arlene F. Sieck	492.09
30641	Lucy B. Honig	219.61
30685	Mark Frey	972.60
30686	Forrest K. Siebken	946.86
30687	Mavis Lynn Ferris	21.39
30688	Jeanne M. Hoggins	807.19
30689	Gary Lee TeSelle	585.84
30690	Scott Dean Fosler	766.20
30691	Robert L. Hull	635.77
30692	Beverly J. Wehrs	328.39
30693	Edna A. Riedl	267.69
30694	David R. Dahle	698.28
30695	Amanda L. Lambe	120.10
30696	Louis J. Bialas	668.28
30697	Pamela J. Slama	258.43
30698	Robert S. DeCoste	632.95
30699	Arlene. F. Sieck	500.41
30700	Lucy B. Honig	222.73
30703	Gary W. Cooper	138.52
30704	Roger L. Kness	123.14
30705	Ricky Gene Fortune	138.52
30706	Dean Alan Bruha	184.70
30707	Dorothy J. Bockoven	138.52
30708	Scott C. Burroughs	138.52
30768	Mark Frey	972.60

30769	Forrest K. Siebken	946.86
30770	Mavis Lynn Ferris	46.38
30771	Jeanne M. Hoggins	807.19
30772	Gary Lee TeSelle	576.91
30773	Scott Dean Fosler	766.20
30774	Robert L. Hull	667.03
30775	Beverly J. Wehrs	339.62
30776	Edna A. Riedl	261.71
30777	David R. Dahle	644.24
30778	Amanda L. Lambe	126.39
30779	Louis J. Bialas	636.73
30780	Pamela J. Slama	248.32
30781	Robert S. DeCoste	655.64
30782	Arlene F. Sieck	517.91
30783	Lucy B. Honig	219.61

GENERAL FUND:

30624	U.S. Postmaster – Utility Billing Postage	116.22
30643	Ameritas - Retirement	975.50
30644	Alltel – Service through 1/31/00	589.77
30645	Alltel / Cellular – Mobile Phone	18.58
30646	Blevens Law Office – Legal Services	350.00
30647	Butch’s Welding – Materials, Svc Call, Labor	624.20
30648	Cornhusker Tile & Marble Co–Ceramic Tile, Labor	3280.00
30649	Credit Bureau of Lincoln – Monthly Min Charge	10.00
30650	Culligan Water Conditioning – Soft Water	16.00
30651	Dorchester Coop – Tire repairs, LP Bottles	32.76
30652	Dorchester Coop/Gas – Gas & Diesel, Tire Repairs	1411.23
30653	The Garbage Co – Service for January ’00	82.75
30654	Great Plains-One Call Service – Locate Request	1.00
30655	Gleason Grimes Contruction – Bathroom Dividers	711.92
30656	1 st Choice Credit Union – Gary TeSelle Acct	250.00
30657	IHS at Milford – 430 Meals for January	1404.00
30658	Sport Supply Group, Inc. – 3 Base Anchors	25.76
30659	Master Cleaners – Uniform Cleaning / Repairs	14.20
30660	Milford A/C & Appliance – Thermostatic Control	76.95
30661	Milford Comm Chamber of Commerce-Mem Renew	75.00
30662	Milford Supermarket – Scissors & Pencils	9.49
30663	The Milford Times – Mtg, Notices, Minutes, Paper	235.44
30664	Milford Volunteer Fire Dept – Contrib. Fire School	200.00
30665	Mutual of Omaha Companies – Group Insurance	4008.36

30666	NE Dept of Revenue – Sales Tax for Jan '00	1207.09
30667	NE Health Lab – Blood Analysis, Coliform Test	55.65
30668	NE Motor Parts Co – Cleaner, Clips, Links, U-Joint	52.26
30669	NE Public Power District – Service for Jan '00	3676.81
30670	Oliva Audio-Visual – Trade for new PC	201.40
30671	Omaha Life Insurance Co – Fire Dept Ins-2 Month	150.50
30672	Overhead Door Co of Lincoln – Wireless Keypad	491.25
30673	Peoples Natural Gas – Service for Jan '00	959.89
30674	Roxanne Roth – Cleaning Fire Hall & Library	160.00
30675	Mrs. Wayne Roth – 2 Birthday Cakes	25.00
30676	Schlegel's Groceries – Film Processing, Groceries	59.68
30677	Seward Co Rural Public Power Dist – Wells 4 & 5	375.00
30678	Seward Co Treasurer–911 Comm, Milford Dispatch	300.00
30679	Robert Smejkal – Batteries	9.09
30680	Subway Motors Co – Work on '93 Dodge, Parts	847.08
30681	Uniservice, Inc. – Pants & Rags	201.62
30682	Wal-Mart Store – Liquid Paper, Case of Oil, Misc	65.16
30683	Jaime Brownell – Water & Sewer Refund	31.98
30684	Sharon Mills-Rupert – Water Refund	10.76
30701	AMP–Region 12 – Meeting Registration, Dahle	45.00
30702	Ameritas Life Insurance – Retirement	975.50
30709	Softball Sales – Baseball/Softball Bats & Balls	396.50
30710	U.S. Postmaster – Utility Billing Postage	115.12
30711	Softball Sales – Baseball/Softball Bats & Balls	241.75
30712	AT & T – Long Distance Service	11.57
30713	Best Way, Inc. – Black PVC Gloves	45.07
30714	Better Homes and Gardens – 2 year subscription	19.00
30715	Blevens Law Office – Legal Services	350.00
30716	Capstone Press, Inc. – 4 Books	43.80
30717	Centaur Enterprises, Inc. – Plow bolts, vise-grip	48.71
30718	Century Labs, Inc. – Chuck Hole Patch	83.52
30719	City of Milford – Petty Cash, Postage, Car Wash	23.09
30720	Christian Book Distributors – 30 Books	307.02
30721	D & D Communications – Mic. for Portable Radio	81.60
30722	Danko Emergency Equipment – Bunker Boot	144.76
30723	Decorative Woodcrafts – 2 year subscription	32.97
30724	EDM Equipment Co – Adjust Conveyor Belt	156.00
30725	Farm Plan – Filters	80.15
30726	Scott Fosler – Patches, labor to attach	30.00
30727	Mark Frey – Meals at Kearney	27.92

30728	Gerhold Concrete Company, Inc – 6 tons Fill Sand	34.98
30729	Graham Tire Lin. North – 2 tires-P255/70R15	94.40
30730	1 st Choice Credit Union – Gary TeSelle Acct	250.00
30731	Heartsong Presents – 8 Books, #1 & #2	19.94
30732	Hershberger Ins. – '87 Motorgrader	263.00
30733	Holiday Inn- One night room charge	55.00
30734	Ingram Library Services – 30 Books	159.15
30735	Lincoln Journal Star – 52 week Paper Subscription	135.20
30736	MARC – All Weather Patching Cmp	113.00
30737	Milford Plumbing Co – cut & thread 1 ¼” pipe	2.00
30738	Milford School Dist #5 – Fines collected	105.25
30739	The Milford Times – 1 year subscription	18.00
30741	Midwest Service & Sales Co – Posts, Corner Belts	362.75
30742	Moore North America, Inc. – Fire Arm Certificates	23.02
30743	Municipal Supply Inc of NE – DB Iron Saddle	141.82
30744	Mutual of Omaha Companies – Disability	109.23
30745	Nebraska Machinery Co – Breather A	31.25
30746	National Geographic Society – Slipcase	17.20
30747	NE Library Commission – Basic Skills for Lucy	25.00
30748	Nebraska Health Laboratory – Analysis-Paeglis	55.00
30749	NE HHS Reg & Licensure – Swimming Pool Permit	3.00
30750	NIFCO Mechanical Systems, Inc. – 6” Weld Flanges	33.91
30751	Office Depot, Inc. – Scanner, Mouse Pads	120.74
30753	Omaha Life Insurance Company – Fire Dept Life Ins	51.60
30754	Pegler-Sysco Food Services Co – Case of margarine	22.75
30755	Pitney Bowes – Qrtly Rental Fee	326.69
30756	Pizza Kitchen – Thurs Eve Meal, 4 Birthday Certs	130.40
30757	B & R Electronics – Computer Repair	88.00
30758	Regent Book Co., Inc. – 5 Books	64.17
30759	Edna Riedl – Mileage to Wilber, CASTL Mtg	10.56
30760	Roxanne Roth – Cleaning Fire Hall & Library	160.00
30761	Mrs. Wayne Roth – 2 Birthday Cakes	25.00
30762	Sam’s Club/GECF – Membership Renewal	30.00
30763	Seward Co Treasurer–911 Comm, Milford Dispatch	300.00
30764	Seward County Clerk – Filing Fee for Ord 283	14.50
30765	Utility Equipment Co. – 6” DBF-04 Watts Wafer	108.08
30766	H. W. Wilson Co – Famous First Facts 5 th Ed	105.00
30767	Jay Schleichter – Sewer & Water Refund	23.70

REPORTS OF OFFICERS, BOARDS AND COMMITTEES: Written reports received were Housing Authority minutes for February 14, 2000;

Planning & Zoning minutes for February 15, 2000; Milford Aging Services Commission minutes for January 26, 2000 and February 23, 2000; Milford Police Activity Report for February 2000.

Burroughs noted that the Pool Board would be meeting on 3/22/00 to review applications for pool positions. Notice to accept bids for ball field lights has been published. Fortune announced the City has met all requirements and will no longer be chlorinating. Chief of Police, Siebken informed Council of a departmental meeting in February in which they implemented a Policy & Procedure Manual. Policies discussed were: Written Directive System, Use of Force and Motor Vehicle Pursuits. Bruha noted that the Fire Dept. has purchased 2 new pieces of equipment, a grass rig and a ladder truck.

COMMUNICATIONS: Sales tax received for the month of December 1999 was \$12,329.98. N.P.P.D. is proposing a retail rate increase of 3.5%. A letter received from Mavis Ferris announcing her resignation of trash duties effective 2/22/00. N.P.P.D. 4th quarter lease payment received in the amount of \$25,249.60. Notice to SEWCOG members informing them of County wide meeting held on 3/27/00 in conjunction with Seward County Commissioners.

UNFINISHED BUSINESS:

Introduction and Adoption of Ordinance-Consumption of Alcohol in Public Places: Councilmember Bockoven introduced Ordinance No. 702 entitled:

AN ORDINANCE TO AMEND CHAPTER 10, ARTICLE 1, SECTION 10-120 OF THE MUNICIPAL CODE TO LIMIT CONSUMPTION OF ALCOHOL IN PUBLIC PLACES EXCEPT WHEN AUTHORIZED BY THE CITY COUNCIL; TO REGULATE THE CONSUMPTION OF ALCOHOL IN THE MILFORD FIRE HALL; TO REPEAL ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH, AND TO PRESCRIBE THE TIME THIS ORDINANCE SHALL BE IN FORCE AND TAKE EFFECT. (See Ordinance Record)

Introduction and Adoption of Resolution – Authorizing Consumption of Alcohol at Fire Station: Councilmember Fortune introduced the following Resolution and moved its adoption. Resolution No. 360 having been read was seconded by Councilmember Bockoven.

RESOLUTION NO. 360

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF MILFORD, NEBRASKA:

Alcoholic beverages may be consumed within the Milford Fire Hall by members of the Milford Volunteer Fire Department, and their invitees, upon the following conditions:

- (a) The possession and consumption thereof is in compliance with all State liquor laws and regulations;
- (b) No person under the age of 19 is present without adult supervision
- (c) There shall be no consumption of alcohol before the hour of 10:00 a.m. or after the hour of 1:00 a.m.
- (d) No alcohol shall be consumed on the premises by Fire Department members or their invitees, during times when a portion of the fire station has been rented for non-fire department functions;
- (e) All alcohol shall be stored in a locked compartment or closet, and shall be accessible only to members of the fire department, with consumption limited to specific locations of the Fire Hall pursuant to separate regulations to be adopted by the department.
- (f) Consumption is limited to members of the Milford Volunteer Fire Department for non-public social functions of the department; or following department meetings, training sessions, calls, work sessions, or other department functions or activities, and may include active/current members of another volunteer fire department who have participated in a mutual aid call, training exercise or regular meeting of the Department.
- (g) The Milford Volunteer Fire Department may enact additional regulations concerning the use of alcohol in the Fire Hall which are not in conflict with this Resolution.
- (h) The rental or use of the Fire Hall by active and retired members of the Milford Volunteer Fire Department, and their invitees, for personal use and department activities not specifically authorized by this resolution shall be governed by general regulations set forth in a separate resolution for consumption of alcohol at the Fire Hall by the general public.

CITY OF MILFORD, NEBRASKA

Attest: _____
City Clerk

Mayor

Mayor Bruha opened the floor to public comments limiting them to 5 minutes. Public comments both for and against the resolution were heard at this time. Comments made by individuals supporting the resolution were:

Concern that the issue has gotten way out of hand due to the lack of communication between the Fire Dept. and members of the Board. Accusations made by board members and the turmoil it has caused affecting the Fire Dept. The Fire Dept. police themselves and follow departmental guidelines for making calls. No record of any Fire Dept. member ever going on a call impaired by alcohol. It is an individual's choice as to whether they drink or smoke. Personal issues of elected officials should not be pushed upon the public. Fire Dept. members feel they have lost trust and respect within the community. They would like to continue as they have in the last 100 years of service. Nothing is going to change within the department as far as professionalism is concerned. The Fire Dept. is tired of discussing this issue and would like to have a decision made tonight. The Fire Dept. deserves this chance and should be entitled to have a beer if they want. They put in a lot of time and serve the community well. It was asked of the crowd if anyone can mention a time when a fire member caused any problems because of alcohol. Maury Hansen, past president of the Fire Dept., asked a member of the Dept. how many times he mentioned to the department that they do not respond to calls if they have been drinking. The member answered, "several". An invitation by Bockoven was made for anyone questioning the Fire Dept. or their actions; to meet with the officers, address their concerns and witness themselves what fine leadership the department has. Bockoven feels this is an issue of trust.

Comments made by individuals against the resolution were: Alcohol does not have a place in the Fire Station or any other public building. There are risks involved. Fire Dept. actions influence and have an impact on our youth and the public. Concern for the protection and safety of the Fire Dept. The promotion of business in our community would be more influential if alcohol didn't exist within our public buildings. The Director of Emergency Management for Lancaster Co. felt that a mixed message was being sent by allowing alcohol and was concerned with how the community would be portrayed. He feels the Milford Fire Dept. has an outstanding reputation and does not want to see that diminish. A fireman is an individual who sets standards and is an example to society. It is wrong as a community that we endorse alcohol. Milford is a community with strong moral character and it was felt that this decision should be made for the future of our community. As a nation we spend millions of dollars educating our youth about drugs and alcohol and its affects. A question as to whether a new place needs to be

established to drink alcohol as we currently have businesses in place. Liability of the City was questioned. Attorney Blevens noted that if a member of the Fire Dept. went on a call intoxicated then yes, this could be a liability issue. Liability would also be an issue if alcohol was consumed at home, at the bar, at a friends house etc... and response to a call was made. As legal representation of the City of Milford he would strongly discourage anyone going on a call intoxicated. A question was brought forth regarding Federal laws, State statutes and emergency vehicles. Attorney Blevens wasn't aware of any but noted that there are laws prohibiting driving while being intoxicated and did not feel it is proper to respond to calls when intoxicated or under the influence.

Gerry Dunlap felt that this issue was a turf war between the Council and the Fire Dept. He noted that if members of both sides could get together and agree on terms that this issue would not arise again in the future. He asked for a straw vote of the Council and to limit any further comments so no further wounds could be dug within the community.

Mayor Bruha opened discussion to the Council. Fortune has always felt this boiled down to a simple Ordinance change. The Fire Dept. will continue to do business as they have in the past. They have an excellent reputation. In surrounding counties, he is not aware of any other Fire Dept. that does not give their fire members the privilege of having a beer after meetings in their halls. He feels there is no reason why we shouldn't give our Dept. the same privilege. Fortune stated that he would vote for this resolution.

Bockoven stated that she would also vote for the resolution with her humble apology to the entire City of Milford for the fiasco.

Burroughs felt he has been blessed and also cursed by sitting on both sides of the fence with this issue. He is a member of the Fire Dept. and also an EMT. He can see both sides of the issue and has discussed previous ordinances with Cooper. He can also see first hand what the Fire Dept. does, how they act and is proud to be a member. They are a very professional group and they do monitor themselves. There is nothing written in the by-laws stating zero tolerance but it is a spoken rule. They watch their P's and Q's. The amount of drinking that goes on at the Fire Station is minimal. It is only for socializing, they do not get intoxicated. 20% maybe, at the most, consume alcohol. We have strong community values, and we do teach right from wrong and do a good job of it. We are asking for a resolution to fit what has been going on - self monitored and policed. Burroughs does support the change of this resolution.

Cooper stated that when he was appointed the liaison to the Fire Dept. he was addressed with concerns of issues happening within the Dept., those

issues were brought to the officers. Cooper feels the City as a Government should set a standard for the community and this is why he does not support the resolution. He does not want to feel responsible for any individual that may be influenced to consume alcohol due to this issue and something happen to them. He does not feel that alcohol has a place in public buildings and this is why he doesn't support this resolution.

Bruha noted that the issue started about a year ago when he talked to some of the officers notifying them that the City regulations forbid drinking and smoking in public buildings. The Fire Dept. was told, if they wanted to continue these actions they needed to bring it to the Council. Nothing happened, so Mayor Bruha issued a letter to the Fire Chief and President requesting they bring the issue to the Dept. for a vote. Mayor Bruha was bothered most by the Special Meeting called by the Council. He noted to the Fire Dept. that they do a tremendous job. His only concern is the image alcohol will project and feels that if they want to drink, it should be done at a liquor establishment.

Comments being heard and after consideration thereof, the roll was called on the passage and adoption of said resolution. Roll call vote: Fortune yes, Bockoven yes, Burroughs yes, Cooper no. The majority of all members elected to the Council having voted in favor of the passage and adoption of said resolution, the same was by the City declared passed and adopted on March 14, 2000.

Councilmember Bockoven introduced the following resolution:

RESOLUTION NO. 361

BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF MILFORD, NEBRASKA:

Alcoholic beverages may be served and consumed in conjunction with the rental of the Milford Fire Hall, within the rented area thereof, on condition that;

- (a) The provider thereof has obtained a special designated license from the Nebraska Liquor Commission pursuant to the provisions of S.S. 53-124.11 and the Nebraska Liquor Control Act.
- (b) The possession and consumption of alcoholic liquors in the Milford Fire Station is in compliance with all State liquor laws and regulations;
- (c) The City Council has approved such request and the special designated license;
- (d) The applicant has agreed to comply with all conditions imposed upon the usage of the facility and consumption of alcohol

Ordinances pertaining to this matter. Fortune feels this needs to be in place as a checks and balance method. The Mayor has an opportunity to attend any board meeting he may wish but Fortune feels that a council member should be appointed to each of the departments. Fortune also mentioned that by Statute the Mayor should be in charge of General and should be deleted from the ordinance. Bockoven felt this ordinance was necessary also mentioning the checks and balance method. She mentioned that if the ordinance was cumbersome that it could be changed at a later date. Burroughs also mentioned the checks and balances. He felt this ordinance should remain in place and if revisions needed to be made they could take place at a later date. Cooper no comment. After discussion of verbiage and process of approving departments and standing committees. Council member Fortune re-introduced Ordinance No. 701 as amended, seconded by Burroughs.

ORDINANCE NO. 701

AN ORDINANCE TO AMEND ARTICLE 1, CHAPTER 2, SECTION 101 AND THE ADDITION OF SECTION 102, FOR COUNCILMEMBERS AND STANDING COMMITTEES; TO PROVIDE FOR APPOINTMENT OF COUNCILMEMBERS AND STANDING COMMITTEES; TO REPEAL ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH, AND TO PRESCRIBE THE TIME THIS ORDINANCE SHALL BE IN FORCE AND TAKE EFFECT. (See Ordinance Record)

Appointments to Departments & Standing Committees: The Mayor appointed the following, with the Council's consent, to oversee the various departments, boards and committees: Bruha – Mayor, General; Bockoven-Cemetery, Library, ADA & OSHA Compliance, Auditing Committee, Webermeier Scholarship; Fortune-Water, Sewer, Fire, President of Council; Cooper-Streets, Police, Auditing Committee, Acting President of Council; Burroughs-Parks, Pool, Recreation, Sr. Citizens. A motion was made by Fortune and seconded by Burroughs to accept Mayor's appointments. Roll call vote: Fortune yes, Burroughs yes, Bockoven yes, Cooper yes. Motion carried.

Award Concession Stand Bid: A motion was made by Bockoven and seconded by Cooper to accept the bid from Steve and Marcy Fougeron for 18% of the net earnings. Roll call vote: Bockoven yes, Cooper yes, Burroughs yes, Fortune yes. Motion carried.

Approve Payments-Olsson Associates: A motion was made by Fortune and seconded by Bockoven to approve payment of Invoice #40520 in the amount of \$3,402.14 for the Lift Station Improvement Project. Roll call

vote: Fortune yes, Bockoven yes, Burroughs yes, Cooper yes. Motion carried.

A motion was made by Cooper and seconded by Fortune to approve payment of Invoice #40821 in the amount of \$8,000.00 for the State Street Paving Project. Roll call vote: Cooper yes, Fortune yes, Bockoven yes, Burroughs yes. Motion carried.

Reappointment – Library Board: A motion was made by Bockoven and seconded by Fortune to approve the Mayor’s appointment of Glenda Maury to the Library Board for a term of 4 years beginning 3/1/00 and ending 3/1/04. Roll call vote: Bockoven yes, Fortune yes, Burroughs yes, Cooper yes. Motion carried.

Purchase of Paint Striper: Cooper supplied Council with a quote from Kelly-Creswell Co. The Model requested is a Heavy Duty Model C with options of; non-bleed striping gun, tip flush accessory for gun, hand gun assy w/20’ hose & valves. The total cost of the equipment is \$4,139.00. This is an item that had been budgeted for. A motion was made by Cooper and seconded by Burroughs to approve purchase of a new paint striper in the amount of \$4,139.00. Roll call vote: Cooper yes, Burroughs yes, Bockoven yes, Fortune yes. Motion carried.

Release of Detention Pond Easement: Cooper noted that a similar request was denied back in October, 1999 as Council wanted more work completed on detention pond. Some work has been done but completion cannot occur until sale of Lot 1 and construction of building occurs as use of extra dirt will be needed to build up east side of detention pond. Jantze requested release of easement. Cooper contacted LeRoy Gerard who provided the literature presented to the Council substantiating that it is in fact the size it should be to do the job it was designed to do. Recommendation was made by Cooper to release the easement on Lot 1 but monitor the progress on the east side of the detention pond. According to LeRoy Gerard the capacity is correct but some grade work still needs to be done. A motion was made by Cooper and seconded by Fortune to release the easement on lot 1. Roll call vote: Cooper yes, Fortune yes, Bockoven yes, Burroughs yes. Motion carried.

With Council approval Mayor Bruha moved to item (j) on the agenda.

Final Plat Mark Saltzman: Mark expressed to the Council, that he felt they could make the building fit with the center, dividing wall. The east and west walls will not abut totally against the existing buildings but they will flash across the front of the building so there are no gaps. There will be a 10” parting wall dividing the halves. A motion was made by Burroughs and seconded by Bockoven to approve the Final Plat of the Saltzman Addition.

Roll call vote: Burroughs yes, Bockoven yes, Cooper yes, Fortune yes.
Motion carried.

Mayor Bruha continued business with item (h).

Introduction and Adoption of Resolution-Pretrial Diversion Plan: Chief Siebken informed Council of the Pretrial Diversion Program that was adopted by the County, approved by the County Attorney and set up by the Nebraska Safety Council. If an individual was cited for traffic offenses they could take the class and have their citation dismissed. The fee for the class is \$110.00. Chief Siebken recommended charging the same amount to simplify things with the Safety Council. The City would retain \$42.00 of the original cost if class was completed. Councilmember Fortune introduced the following resolution and moved its adoption, seconded by Cooper.

RESOLUTION NO. 362

BE IT RESOLVED, AND ORDAINED BY THE COUNCIL OF THE CITY OF MILFORD, THE GOVERNING BODY OF THE CITY OF MILFORD, SEWARD COUNTY, NEBRASKA:

WHEREAS, the Milford City Council, the governing body of the City of Milford, Seward County, Nebraska agree with the Chief of Police of the City of Milford that a pretrial diversion program for traffic offenses should be established.

IT IS THEREFORE RESOLVED AND ORDAINED that the City Council and Mayor of Milford, Seward County, Nebraska establish a pretrial diversion program for traffic offenses, and that said pretrial diversion program shall follow the guidelines stated in Section 29-3603 R.R.S. 1943.

Passed and approved this 14th day of March, 2000.

City of Milford, Nebraska

Attest: _____

City Clerk

Mayor

Contribution to E911 Communications: Chief Siebken was present at the last Agency Board Meeting when discussion was held regarding the formula to determine % of funds needed to be budgeted for the E911 Communication Center. Recommendation to the City of Milford was 4% of tax revenue. This amount was determined by population, property evaluation and use of the center. Offer was made to Milford to become involved in an Interlocal Agreement, which would allow us to have a voice/member on the Governing Board. The director is working on the budget at this time. Siebken didn't

feel the base amount of tax revenue would be a lot more than it is currently. The increase in payment would amount to about \$564.00 more each month. Quarterly payments would be made to the E911 Communications Center. Review of percent would be held in 2005. No fees would be needed to join the Interlocal Agreement. The first payment would be during the 2000 – 2001 Budget year. A motion was made by Fortune and seconded by Cooper to approve the contribution and have Chief Siebken become an active member of the Board. Roll call vote: Fortune yes, Cooper yes, Bockoven yes, Burroughs yes. Motion carried.

Purchase of Grass Rig by Fire Dept.: The Fire Dept. has purchased an older Ford ¾ ton truck to replace the jeep currently used for fighting grass fires. The Fire Dept. has purchased the equipment with their funds and would like to be reimbursed by City funds. A motion was made by Bockoven and seconded by Burroughs to approve reimbursing the Fire Dept. for the purchase of the Grass Rig. Roll call vote: Bockoven yes, Burroughs yes, Cooper yes, Fortune yes. Motion carried.

Executive Session – Litigation and Personnel: A motion was made by Bockoven and seconded by Burroughs to go into Executive Session. Roll call vote: Bockoven yes, Burroughs yes, Cooper yes, Fortune yes. Motion carried.

A motion was made by Fortune and seconded by Burroughs to return to Regular Session. Roll call vote: Fortune yes, Burroughs yes, Bockoven yes, Cooper yes. Motion carried and Council returned to regular session at 9:34 p.m.

ADJOURNMENT: A motion was made by Bockoven and seconded by Cooper to adjourn the meeting. Roll call vote: Bockoven yes, Cooper yes, Burroughs yes, Fortune yes. Motion carried and meeting adjourned at 9:35 p.m.

City Clerk

Mayor

CERTIFICATION

I, the undersigned, City Clerk of the City of Milford, Nebraska, hereby certify that the foregoing is a true and correct copy of proceedings had and done by the Mayor and Council on March 14, 2000 that all of the subjects included in the foregoing proceedings were contained in the agenda for the meeting, kept continually current and readily available for public inspection at the office of the City Clerk; that such subjects were contained in said

agenda for at least twenty-four hours prior to said meeting; that at least one copy of all reproducible material discussed at the meeting was available at the meeting for examination and copying by members of the public; that the said minutes from which the foregoing proceedings have been extracted were in written form and available for public inspection within ten working days and prior to the next convened meeting of said body; that all news media requesting notification concerning meetings of said body were provided advance notification of the time and place of said meeting and the subjects to be discussed at said meeting.

(SEAL)

Jeanne Hoggins, City Clerk